

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In Re:)	
)	
SOMERVILLE BREWING COMPANY)	Chapter 11
)	Case No. 19-13300-FJB
DEBTOR)	
)	

ORDER AMENDING ASSENTED TO ORDER REGARDING
ADEQUATE PROTECTION AND USE OF CASH COLLATERAL

This matter having come before the Court upon the *Assented to Motion Seeking Extension of Debtor’s Right to Use Cash Collateral Pursuant to Supplemental Budget* (the “Second Motion for Extension”), filed by Somerville Brewing Company, the above-captioned Chapter 11 Debtor (the “Debtor”) pursuant to which the Debtor requests authorization, pursuant to sections 361 and 363(c) of the Bankruptcy Code (the “Bankruptcy Code”), to use of cash and other collateral in which Cambridge Trust Company (“CTC”) and Massachusetts Growth Capital Corporation (“MGCC”) and other secured creditors assert an interest; and CTC and MGCC having assented to the Second Motion for Extension and this Court having jurisdiction to consider the Second Motion for Extension and notice of the Second Motion for Extension and any hearing thereon having been sufficient according to the certificates of service filed with the Court; and after due deliberation the Court having determined that the relief requested in the Second Motion for Extension is in the best interests of the Debtor and its estate and good and sufficient cause having been shown;

It is hereby Ordered:

1. That the first sentence of paragraph 6 of this Court's Assented to Further Order Authorizing Continued Use of Cash Collateral, dated December 19, 2019 [Doc. No. 101] (the "Further Order") is hereby amended to state as follows:

Termination. Absent further Order of this Court, authorization of the Debtor to use cash collateral pursuant to this Order, shall cease on the Termination Date which shall be the earlier to occur of: (i) May 5, 2020; or (ii) the fifth day that a Termination Event (as defined below) is continuing after notice is given as provided below by CTC or MGCC except where designated "(No Notice Required)."

2. That the supplemental budget attached as Exhibit 1 to the Second Motion for Extension shall constitute the "Budget," as that term is defined in paragraph N of the Further Order, for the purposes of the Further Order, for the period February 1, 2020 through April 30, 2020.

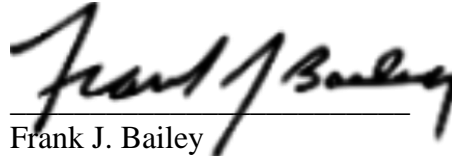
3. The Debtor is hereby authorized and directed to make monthly adequate protection payments in the amount of \$1,394.00 per month to CTC on the 15th day of two month beginning on March 15, 2020, after which the monthly adequate protection payment to CTC shall be reduced to \$936.05, the 30-day non-default interest due on CTC's secured claim as of the Petition Date.

4. The Debtor is hereby authorized and directed to deliver to each of MGCC and CTC a copy of any written offer to purchase any or all of the assets of the Debtor within one (1) business day following the Debtor's and/or its Broker's receipt of such offer.

5. On or before 4:30 p.m. on April 20, 2020, the Debtor shall file a further Motion for Use of Cash Collateral and the Court shall hold a hearing on May 5, 2020, at 9:15 a.m. on such Motion. Any and all objections to the Motion for Use of Cash Collateral shall be filed on or before April 30, 2020 by 4:30 p.m.

6. That except as expressly set forth herein, nothing in this Order shall modify the terms of the Further Order all of which terms, except as expressly modified herein, shall remain in full force and affect after the entry of this Order. Except as expressly set forth herein, nothing in this Order shall be deemed to impair or prejudice the rights and remedies of CTC and/or MGCC under the Further Order or applicable law.

Entered as of February 20, 2020 at Boston, Massachusetts


Frank J. Bailey
United States Bankruptcy Judge